

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

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Kevin Turner and Shawn Wooden, on  
behalf of themselves and others similarly  
situated,

Plaintiffs,

v.

National Football League and NFL  
Properties LLC, successor-in-interest to  
NFL Properties, Inc.,

Defendants.

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**THIS DOCUMENT RELATES TO:  
ALL ACTIONS**

No. 2:12-md-02323 (AB)

MDL No. 2323

**Hon. Anita B. Brody**

**MOTION TO JOIN THE MOTION OF CLASS COUNSEL  
THE LOCKS LAW FIRM FOR APPOINTMENT OF ADMINISTRATIVE COUNSEL**

On March 20, 2018, The Locks Law Firm filed a Motion (Doc. No. 9786) seeking appointment of administrative class counsel to assist in resolving failures with the claims process (the "Motion"). The undersigned, on behalf of Hagen Rosskopf LLC (formerly known as Hagen, Rosskopf & Earle, LLC), joins in the request for appointment of administrative class counsel and for a hearing to correct the multitude of failures in the Settlement administration.

The undersigned is Co-Counsel with Pope, McGlamry, Kilpatrick, Morrison & Norwood, P.C. ("PMKM") on behalf of more than 400 players in the above referenced matter. The number of clients we represented had been over 500 before multiple incidents of clients being poached by other lawyers, or simply firing our firms, in an effort to avoid paying attorney's fees. This is not

a problem unique to our firms in the present case, as it has been a common experience of lawyers representing a large number of former NFL players, and it's the direct by-product of the lack of leadership from Co-Lead Counsel Chris Seeger.

The undersigned has been working on this matter since a time prior to the hearings that established the current MDL. I've worked closely with Co-Lead Counsel, the Executive Committee and the Steering Committee, primarily through my work as a member of the Communications and Public Relations Committee. I've also worked closely with the many former NFL players that I represent, speaking with them constantly over the last 6.5 years since I first started representing them in their claims against the NFL. To put it mildly, I am deeply invested in the success of the Settlement of the case, representing more than 400 registered claimants. Along with PMKM, we have filed approximately 30 pre-effective date claims.

The Settlement as currently implemented has structural problems. Players and their counsel have expressed in specific detail that the NFL has tried to convert and modify the Settlement into a secret litigation device with which the NFL delays and defeats meritorious claims. This is set forth in The Locks Motion and in various joinders. The undersigned has had similar experience.

All of this has occurred while Co-Lead Counsel Chris Seeger has exclusively represented the Class in Settlement implementation, because he has cordoned off from implementation other class counsel, including The Locks Law Firm, PMKM and others. This approach appears to have actively harmed the Class of former players. This may be explained by the fact that Seeger Weiss's interests are not aligned with those of the Class.

First, Seeger Weiss represents virtually no players and never has. As a firm, it does not understand the claims process from the players' standpoint. Also, it seeks to be paid 5% of EVERY player award, which is not in the players' interests. Since it has kept all of the other class counsel out of the implementation process, its design appears to be to obtain that 5% for itself only, even though there are many sources other than claimant awards with which to pay class counsel for implementation work.

Second, Seeger Weiss does not seem to understand the problems that face the individual members of the Class. On one hand, Seeger Weiss acknowledges in quotations to the Washington Post that the NFL decided long ago to litigate every submitted claim once the Court uncapped the Settlement. Assuming that Mr. Seeger is not going to take a page from the President's playbook and claim that the Washington Post story is "Fake News," then that statement reflects a substantial acknowledgment of a serious implementation problem. But on the other hand, Mr. Seeger has also said that everything in the Settlement is fine, in fact better than expected. It is difficult to square one statement with the other, particularly given the reported problems in the Locks Motion and joinders and the fact that in excess of 95% of dementia claims have been denied, delayed, or in audit. Mr. Seeger is seemingly tone deaf to the plight of the Class members, particularly those who have Qualifying Diagnoses, that he ostensibly represents.

To protect Class interests, the undersigned respectfully requests that the Court grant The Locks Law Firm's Motion to ensure that implementation counsel for the players have interests directly aligned with the Class. We also respectfully request a hearing as soon as possible to allow the Court to receive evidence on the ways in which implementation has failed the Class and solutions to the specific problems identified. Players and their families are suffering, and this issue

needs to be addressed now, not later. Respectfully, the undersigned believes that this is in the best interests of the Class, the Settlement and the Court's structure currently in place.

This the 3rd day of April, 2018.

Hagen Rosskopf LLC

/s/ Bruce A. Hagen  
Bruce A. Hagen  
Georgia State Bar No. 316678

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 3, 2018, I caused the foregoing document to be filed with the United States District Court for the Eastern District of Pennsylvania via the Court's CM/ECF system, which will provide electronic notice to all counsel and parties.

/s/ Bruce A. Hagen